

Asks Why He Hasn't Responded to Border Community Concerns

Washington, DC- Today at an Appropriations Committee hearing on the Department of Homeland Security Congressman Ciro D. Rodriguez (TX-23) questioned Homeland Security Secretary Michael Chertoff about his inability to follow a bipartisan law signed by the President on the issue of border security. Rodriguez, who authored the language requiring DHS to consult with local communities and report to Congress on border fencing decisions, had written Chertoff a letter in January about border community concerns and to this point had not yet received a response to the letter.

"I worked in a bipartisan manner with Senator Kay Bailey Hutchison on a provision that would require you to consult with community members before you construct any fencing," said Rodriguez. "I wrote you a letter in January after the President signed the consultation law asking of the opportunities you would have to consult with communities and I have still not received a response from you or your staff. I find it troubling, especially after hearing of your decision to waive over 30 provisions of law that you and I have never met to discuss border community issues or your plan for determining the best approach to securing the border. Can you honestly say that waiving these 36 provisions of law, without having met with local experts, community leaders and Members of Congress was an informed decision?"

Rodriguez represents the longest US-Mexico border district in the United States with 785 miles of border with more than half of the Texas border and over 1/3 of the entire southern border including six land ports of entry and 13 different Border Patrol stations within 3 separate Border Patrol Sectors. Rodriguez is also a member of the subcommittee charged with funding the Department of Homeland Security.

"Unlike the department of Homeland Security, I meet regularly with local communities, and I hear from local Border Patrol agents and Customs and Border Protection (CBP) Officers who are active members of their communities," continued Rodriguez. "I hear what they are saying, and that's why I know there is a disconnect between what is really going on along the border and the decisions that are being made up here in DC."

Below is the text of the January letter Rodriguez sent to Chertoff:

January 29, 2008

The Honorable Michael Chertoff

Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

President Bush signed Public Law 110-161, a law requiring the Department of Homeland Security to consult formally with local governments and property owners about the impact on the environment, culture, commerce and quality of life within communities and for residents located at or near sites being considered for new fencing.

As the Department moves forward with plans to improve security along the Southern border, we write to emphasize the importance of the legally mandated consultation provision. The consultation process was not intended as a hollow requirement, but as an essential element in the Department's efforts to implement a border policy. The input from these stakeholders who live and work in the border region can serve as a valuable and necessary asset in achieving the ultimate goal of border security.

It is our understanding that the Department has begun holding "open houses" in border communities as part of the Draft Environmental Impact Statement process for proposed tactical infrastructure. It is our further understanding that the purpose of these public comment opportunities is to discuss the potential environmental effects of fencing proposed in the Department's draft documents.

While opportunities for public input on environmental issues associated with proposed fencing are important, they are not inclusive of all salient issues. As clearly stated in P.L. 110-161, in addition to environmental concerns, the consultations should involve discussions of efforts to minimize the impact of fencing on the culture, commerce and quality of life of the affected communities. Thus, it appears that the law requires similar open houses or town halls with local stakeholders to discuss these other concerns.

Given these requirements and the Department's reported actions to date, we are interested in the manner the Department intends to implement the remainder of consultation requirements. Therefore, we are writing to request:

1. A list of the dates and locations of past public meetings and meetings previously held with local officials regarding new border fencing and infrastructure,
2. A schedule of planned consultation meetings, including which, if any will be public, and the anticipated subject matter of those meetings.

Due to the importance of this issue, please provide this information no later than February 8, 2008. Should you have questions about this matter, please do not hesitate to Rene Munoz, title, phone number. .

Sincerely,

Ciro D. Rodriguez

Member of Congress

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Congressman Rodriguez is a former social worker who currently serves on the House Committee on Veterans Affairs and the powerful House Committee on Appropriations. For more information on Congressman Rodriguez visit <http://rodriguez.house.gov/> or contact his Communications Director Josh Rosenblum at Joshua.rosenblum@mail.house.gov

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